

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

CORNELIUS MARTIN, II, 14137-055,

Plaintiff,

05-CV-0868(Sr)

v.

NIAGARA COUNTY JAIL, et al.,

**AMENDED
CASE MANAGEMENT ORDER**

Defendants.

The Case Management Order (Dkt. #46), entered on July 24, 2008, is hereby further amended as follows:

1. Defendants shall identify any expert witnesses who may be used at trial and provide reports pursuant to Fed.R.Civ.P. 26(a)(2)(B) by **May 22, 2009**. **Such disclosures shall be served on all counsel.** See *a/so* Local Rule 26.

2. All expert depositions shall be completed no later than **June 26, 2009**.

3. All discovery in this case shall be completed no later than **July 17, 2009**.

4. All applications to resolve discovery disputes shall be filed on or before **July 17, 2009**. In the event of bonafide discovery disputes that cannot be

resolved by counsels' good faith efforts (*see generally* Local Rule 37), the parties shall submit, by joint letter, signed by all counsel, a statement of the issue(s) to be resolved by the Court. Each party, within five business days thereafter, shall submit by letter a statement of facts and law it wishes the Court to consider. Original letter shall be filed with the Clerk of the Court, and a courtesy copy shall be provided simultaneously to Chambers. The Court reserves the right to request full briefing by the parties, in which case the Court will so advise the parties.

5. Dispositive motions by all parties shall be filed and served no later than **August 28, 2009**. *See, generally* Local Rule 7.1(c); 56. Responding papers shall be filed and served no later than **September 9, 2000**. Reply papers, if any, shall be filed and served no later than **September 30, 2009**. The motion shall be taken under advisement without oral argument.

6. Courtesy copies of all motion papers shall be provided to chambers simultaneously with their filing in the Office of the Court Clerk.

7. Modification or extension of the dates set forth in this scheduling order are strongly discouraged. Extensions will only be considered for meritorious reasons.

8. Sanctions: All parties' attention is directed to Fed.R.Civ.P. 16(f) calling for sanctions in the event of failure to comply with any direction of this

Court. The plaintiff is reminded that it is his responsibility to keep the Court informed of his current address and telephone number.

SO ORDERED.

DATED: Buffalo, New York
February 17, 2009

S/ H. Kenneth Schroeder, Jr.
H. KENNETH SCHROEDER, JR.
United States Magistrate Judge